

March 1, 2016

VIA ELECTRONIC FILING

Office of the Secretary,
Delaware Public Service Commission
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, DE 19904

Re: Notification of *Pro Forma* Assignment of Certificate of Public Convenience and Necessity from Mobilitie, LLC to Network Exchange Facilities of Delaware, LLC

Dear Sir or Madam:

Mobilitie, LLC ("Mobilitie," or "Assignor") and Network Exchange Facilities of Delaware, LLC ("Network Exchange," or "Assignee") (collectively the "Parties"), by undersigned counsel, hereby notify the Delaware Public Service Commission ("Commission"), of the *pro forma* assignment of Mobilitie's Certificate of Public Convenience and Necessity to Network Exchange ("Transaction").

It is the Parties' understanding that Commission approval is not required for the Transaction pursuant to 26 Del. Code § 215(h). Accordingly, the Parties submit this letter for informational purposes only to ensure the continuing accuracy of the Commission's records. The Parties respectfully request that the Commission update its records, website, and other information as appropriate to reflect that Network Exchange will hold the certificate following completion of the Transaction. The Parties intend to complete the assignment as soon as any required regulatory approvals are obtained.

In support, the Parties provide the following information:

I. DESCRIPTION OF THE PARTIES

A. Mobilitie, LLC

Mobilitie is a limited liability company organized under the laws of the State of Nevada. Mobilitie designs, builds, and operates network and infrastructure to deliver optimal wireless coverage. Mobilitie's complete wireless infrastructure solutions include funding, designing, building, operating, and maintaining neutral host outdoor and indoor distributed antenna systems (DAS), small cells, Wi-Fi, and communication towers. On May 10, 2011, Mobilitie was authorized to provide local and competitive intrastate telecommunications services within the State of Delaware.¹ Mobilitie is authorized to provide competitive local exchange, interexchange, and/or backhaul transport

¹ See generally *In the Matter of Mobilitie, LLC for a Certificate of Public Convenience and Necessity to Provide Local and Competitive Intrastate Telecommunications Services within the State of Delaware*, PSC Docket No. 11-24, Order No. 7955, Order, Delaware Public Service Commission (May 10, 2011).

telecommunications services pursuant to registration, agency order, or on a deregulated basis in all fifty states, and the District of Columbia. Mobilitie's headquarters is located at 2220 University Drive, Newport Beach, California 92660.

B. Network Exchange Facilities of Delaware, LLC

Network Exchange is a Delaware limited liability company with its principal business address at 925B Peachtree Street NE, Suite 710, Atlanta, Georgia 30309. Network Exchange is a wholly-owned, indirect subsidiary of Mobilitie.

II. DESCRIPTION OF THE TRANSACTION

For business and operational reasons, Mobilitie is transferring its Certificate of Public Convenience and Necessity to Network Exchange.

Following closing, Network Exchange will continue to offer the same services as Mobilitie to its customers in the State of Delaware. Furthermore, Mobilitie's management will continue to be responsible for the day-to-day operations of Network Exchange's business.

III. PUBLIC INTEREST STATEMENT

The Parties submit that the Transaction described herein serves the public interest. The Transaction promotes competition among telecommunications carriers by providing Network Exchange with the opportunity to strengthen its competitive position in order to accelerate the growth of the business. The Parties anticipate that the Transaction will enable them to deliver greater value and variety of services to their customers.

The Transaction will be transparent to customers, and will not result in the discontinuance, reduction, loss, or impairment of service to customers. Rather, as noted, it will enable the Parties to make available a greater variety of high-quality, innovative services to their customers.

IV. CONTACTS

Correspondence concerning this Notice should be sent to the following individuals:

Assignor

Jim Grass
Vice President, Corporate Counsel
Mobilitie, LLC
2220 University Drive
Newport Beach, CA 92660
Tel: (949) 717-6020
Fax: (949) 274-7556
Email: jim@mobilitie.com

Assignee

Michael P. Donahue
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1420 Spring Hill Road, Suite 401
McLean, VA 22102
Tel: (703) 714-1319
Fax: (703) 563-6222
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Please update the Commission's records with the following information for Network Exchange:

Network Exchange Facilities of Delaware, LLC
925B Peachtree Street NE, Suite 710
Atlanta, GA 30309
Tel: (877) 296-1009
Email: info@itbutility.com
Website: www.itbutility.com

V. CONCLUSION

For the reasons stated above, the Parties respectfully submit that the public interest, convenience, and necessity would be furthered by the Transaction. Accordingly, the Parties respectfully advise the Commission of their participation in the Transaction as described above.

An original and ten (10) copies of this filing are enclosed. Please date stamp the enclosed extra copy of this filing and return it in the attached self-addressed envelope. If there are any questions regarding this filing, please do not hesitate to contact the undersigned directly.

Respectfully submitted,



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